

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL BRENT PECTOL, et al.,

Plaintiffs,

v.

BRENT ERNEST PECTOL, et al.,

Defendants.

Case No. 18-cv-00717-JCS

**REPORT AND RECOMMENDATION
RE MOTION FOR TEMPORARY
RESTRAINING ORDER**

Re: Dkt. No. 4

This action was filed on February 1, 2018, when Plaintiffs filed their initial complaint (“Complaint”), along with an application to proceed in forma pauperis (“Application”). Although four individuals are named as plaintiffs, only a single plaintiff, Michael Pectol, signed the Complaint and the Application. Likewise, only Michael Pectol provided financial information in support of the Application. Because no financial information was provided as to the other three named Plaintiffs, the undersigned did not rule on the Application immediately, intending to request additional information in support of the Application.¹ Because no determination has been made as to in forma pauperis status, the undersigned also has not conducted a formal review of the complaint under 28 U.S.C. § 1915. In the meantime, Plaintiff Michael Pectol has filed a motion for a temporary restraining order (“TRO Motion”). The undersigned does not have the consent of all parties. Therefore, this case shall be reassigned to a United States District judge, pursuant to 28 U.S.C. § 636(b), with the recommendation that the request for a temporary restraining order be denied.

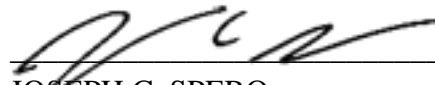
The TRO Motion does not identify any specific claims; nor is it clear what specific relief

¹ The Court also notes that two of the individuals named as plaintiffs appear to be minors and therefore, can only appear through counsel.

1 Plaintiffs seek (or against which of the many defendants it is sought). Instead, the TRO Motion
2 references the Complaint. Based on a review of the Complaint, however, the undersigned also
3 finds no cognizable claims therein. The Court finds no basis for entry of a temporary restraining
4 order in this action.

5 If Plaintiffs objects to the recommendations above, they may file objections **no later than**
6 **fourteen days after they served with a copy of this Report.** See 28 U.S.C. § 636(b).

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8 Dated: February 5, 2018

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11 JOSEPH C. SPERO
12 Chief Magistrate Judge
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